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MINUTES

The Town of Manteo Board of Commissioners held their Regular January 6, 2021 meeting at 6:30 p.m. at 407 Budleigh Street, Manteo, NC and via teleconference.

The following members were present:

Mayor Bobby Owens (remote)
Mayor Pro-Tem Betty Selby
Commissioner Darrell Collins (remote)
Commissioner Eddie Mann
Commissioner Richie Burke
Commissioner Jason Borland (remote)
Commissioner Christine Walker (remote)

The following members were absent:

Also present at the meeting were:

Town Manager James Ayers
Town Attorney Ben Gallop
IT Director Carl Woody
Town Planner Melissa Dickerson
Town Clerk Jamie Whitley

Mayor Bobby Owens called the meeting to order at 6:30 p.m. Town Manager Ayers did a roll call verifying that there was a quorum: Mayor Owens-present (remote); Mayor Pro-Tem Selby-present; Commissioner Burke-present; Commission Borland-present (remote); Commissioner Collins-present (remote); Commissioner Mann-present; and Commissioner Walker-present (remote). A quorum was established.

Mayor Owens asked for a moment of silence followed by the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended

MOTION: A motion was made by Mayor Pro-Tem Selby and seconded by Commissioner Mann to approve the agenda as presented and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

SUBJECT: Adoption of the items on the Consent Agenda as presented or amended

MOTION: A motion was made by Commissioner Collins and seconded by Commissioner Walker to approve the Consent Agenda with the following items: Regular and Closed December 2, 2020 minutes and Recessed December 16, 2020 minutes and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

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PUBLIC COMMENTS

Members of the public are invited to address the Board of Commissioners on any topic. Public Comment is not intended to require the Board to answer any impromptu questions or to take any action on items brought up during the public comment period. Speakers will address all the comments to the Board as a whole and not one individual Commissioner. Discussions between speakers and members of the audience will not be allowed. Time limits are 3 minutes per person or 5 minutes per group. Please identify yourself and your location so that your statements can be recorded.

Melissa Bender, 716 N. George Howe Street, spoke at the December Planning Board Meeting but wanted to speak the Board of Commissioners about the concerns that she and her neighbors have about the proposed development at 713 and 715 N. George Howe Street. She is concerned about stormwater run-off, the impact to her property value, the increase in traffic that will be a result of adding six additional units, and the increase in the number of dumpsters that are dumped at 4:00 a.m. She stated that the Planning Board has already recommended denial and that having a property with three times the density is a little much.

Phil Spinella, Owner of Ron and Phil's Body Shop - 710 Highway 64, was concerned about the serious water problems on N. George Howe Street. He wanted to know where the stormwater would go if this development was built because he has already had to file flood claims because of the flooding on that street. He wants the water problems on that street to be fixed.

NEW BUSINESS

SUBJECT: Naming of Public Property

The Town of Manteo extends its deepest condolences to the McClease Family upon the passing of Mr. James McClease Sr., who served this Town with dedication and professionalism for over three decades. Mr. McClease was a pillar of the organization, and his tireless work throughout the community has left a lasting mark. He will be missed by family, friends, and colleagues here in Manteo and beyond.

A proposal has been put forward to name a public property in honor of Mr. McClease, and such action would require approval by the Board of Commissioners. Appropriate signage would be fabricated and installed, and budget funds are available in the Board Discretionary Fund. Although Mr. McClease's outstanding body of work encompassed the entire Town, it seems most fitting to name the Bowsertown facility in his honor as that is the headquarters for the department and team he built over the years.

Mr. Ayers will work with the McClease Family to determine the name that will be on the sign.

MOTION: A motion was made by Mayor Pro-Tem Selby and seconded by Commissioner Mann to name the Town-owned public property on Bowsertown Road after James A. McClease Sr. and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

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SUBJECT: Appointment of Planning and Zoning Board Members

MOTION: A motion was made by Commissioner Burke and seconded by Commissioner Mann to re-appoint Hal Goodman and Fields Scarborough to the Planning & Zoning Board and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

MOTION: A motion was made by Commissioner Burke and seconded by Commissioner Walker to re-appoint Sherry Wickstrom as Chair of the Planning & Zoning Board and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

SUBJECT: Appointment of Cemetery Board Members

MOTION: A motion was made by Commissioner Walker and seconded by Commissioner Collins to re-appoint Lynda Midgett and Amy Crawford to the Cemetery Board and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

SUBJECT: Appointment of Board of Adjustment Alternates

MOTION: A motion was made by Commissioner Walker and seconded by Commissioner Collins to appoint Vicki Basnight and Kevin Wallace as Board of Adjustment Alternates and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

SUBJECT: Appointment of Community-Police Advisory Board Members

Mr. Ayers informed the Board of Commissioners that we have received seven applications for the Community-Police Advisory Board. The Board can select a minimum of three members and a maximum of seven members. Of the applications, we received applications from two residents that live outside of the Town's corporate limits, one who currently serves on the Preservation and Architectural Review Committee (PARC), and one who lives in town part-time.

Manteo Police respond to calls outside of the corporate limits and offer mutual aid to other law enforcement agencies within Dare County so the Board of Commissioners did not see an issue with appointing members that live in Manteo but reside outside of the corporate limits.

The Board of Commissioners normally refrain from appointing individuals to multiple advisory boards. Robert "Bob" Keeney currently serves on the PARC committee and represents the Marshes Light Community. The Board wanted representation from all over Manteo and agreed that having representation from Marshes Light on the Community-Police Advisory Board was a good idea.

MOTION: A motion was made by Commissioner Mann and seconded by Commissioner Collins to appoint Therese Romagna, Robert Keeney, Stephanie McKoy, Michelle Lewis,

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Warren Martin, and Timothy Purdie to the Community-Police Advisory Board and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

SUBJECT: Zoning District for Town-Owned Property at 0 Sir Walter Raleigh

The Board of Commissioners annexed the town-owned property located at 0 Sir Walter Raleigh into the town limits. The town needs to give this property a Town of Manteo zoning designation because it is currently zoned as R-2 under Dare County's zoning designation. It is proposed that the Board of Commissioners to set a public hearing at the February 3, 2021 at 6:30 p.m. so that the public can comment on the zoning designation.

MOTION: A motion was made by Commissioner Mann and seconded by Commissioner Walker to set a Legislative Hearing for zoning designation of the property at 0 Sir Walter Raleigh Street at 6:30 p.m. on February 3, 2021 and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

SUBJECT: Conditional Use Permit – 713/715 N. George Howe Street

Staff received a Conditional Use Permit for 713 and 715 N. George Howe Street. This type of permit requires an evidentiary hearing that is proposed to be held on February 3, 2021 at 6:30 p.m. The Planning Board denied the permit but the Board of Commissioners is still obliged to hear it. We have to have a Quasi-Judicial proceeding so that people that have standing can be heard on this matter. Attorney Gallop informed the people in the audience, that spoke on this matter during the public comment section, that they need to come and give testimony under oath during the Quasi-Judicial hearing. Adjacent property owners will be notified and a sign will be posted on the site about the hearing.

MOTION: A motion was made by Commissioner Burke and seconded by Commissioner Collins to set an Evidentiary Hearing for a Conditional Use Permit for 713/715 North George Street at 6:30 p.m. on February 3, 2021 and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

SUBJECT: Conditional Use Permit – Manteo High School

Staff received a Conditional Use Permit for Manteo High School's Fieldhouse. This type of permit requires an evidentiary hearing that is proposed to be held on February 3, 2021 at 6:30 p.m.

MOTION: A motion was made by Commissioner Mann and seconded by Commissioner Walker to set an Evidentiary Hearing for a Conditional Use Permit for Manteo High School at 6:30 p.m. on February 3, 2021. and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

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OLD BUSINESS

SUBJECT: Zoning Text Amendment Articles VIII-B-2 General Business District/Sec.8-5 Conditional Uses Permitted (38) Supplementary Uses (Walk-Up ATM)

The Board held a public hearing on zoning text amendment that was for walk-up ATMs in the B-2 General Business District. There were no comments during the public hearing nor did I receive any written public comments after the meeting as required by State Law. The Planning and Zoning Board recommended denial of this amendment. However, the Board of Commissioners has the final say on this zoning text amendment.

The Planning Board recommended denial for the following reasons:

- Aesthetics: Walk up ATMs look like metal boxes with bollards around them.
- Flood Damage Prevention Ordinance requires that all structures be at eight feet: There was concern that if the ATM is at eight feet then there will be additional ramping that will take up space around the structure. (The ATM would have to be elevated like the Twice the Ice Machine.)
- Safety Issue: Having people using the ATM at night may attract safety problems.

Currently, all ATMs are attached to the wall of the bank but this proposal is to have a single stand-alone structure for an ATM.

MOTION: A motion was made by Mayor Pro-Tem Selby and seconded by Commissioner Mann to deny the zoning text amendment for the walk-up automated teller machine (ATM) as a conditional use in the B-2 General Business District. The zoning text amendment is inconsistent with the land use plan and the action taken is reasonable and in the public interest because a walk-up ATM may cause impact to health, safety, and welfare and was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Burke, Borland, Mann, Walker, and Collins. Nays: None. Absent: None. **Motion carried unanimously.**

MAYOR'S/COMMISSIONERS COMMENTS

Mayor Owens: He asked everyone to pray for America tonight because of the chaos.

Mayor Pro-Tem Selby: She thanked Sgt. James Burroughs for doing a ham and turkey give away during the holiday season. She stated that we will continue to work on the drainage issues in Town and commended the Town Manager and staff for addressing the flooding that is going on in Town.

Commissioner Mann: He commended the Public Works Department for their hard work and dedication and he is looking forward to a long-term solution to the flooding.

Commissioner Borland: He thanked the Town Manager and all that were involved with getting in the applications and resumes and getting all of these positions filled with a variety of quality candidates.

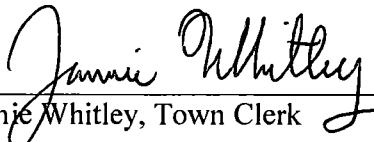
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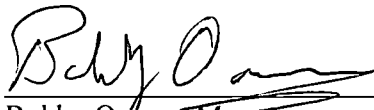
There being no further business to come before the Board or other persons to be heard a motion was made by Commissioner Collins and seconded by Mayor Pro-Tem Selby the meeting was recessed at 7:30 p.m. until January 20, 2021 at 5:00 p.m. The motion was approved by the following roll call vote: Ayes: Mayor Pro-Tem Selby, Commissioners Walker, Collins, Mann, Borland, and Burke. Nays: None. Absent: None. **Motion carried unanimously.**

This the 6th day of January 2021.

ATTEST:



Jamie Whitley, Town Clerk



Bobby Owens, Mayor

